

criminal crime when there's no other witnesses or other activity that you can attract, but, no, under the bill, under that circumstances I don't think you could.

SENATOR BEUTLER: Okay, so the straight stalking situation, which is what we're dealing with, can't be prosecuted under this bill.

SENATOR KRISTENSEN: Because you need either the temporary restraining order or you need...

SENATOR BEUTLER: But in addition...

SENATOR KRISTENSEN: ..you need a trigger.

SENATOR BEUTLER: ..but in addition, don't you also need to have a credible threat?

SENATOR KRISTENSEN: Yes.

SENATOR BEUTLER: And who makes a credible threat.

SENATOR KRISTENSEN: Yes, you do.

SENATOR BEUTLER: And the credible threat has to be something that puts them in reasonable fear of their safety.

SENATOR KRISTENSEN: Fear of death or serious bodily injury.

SENATOR BEUTLER: Or safety.

SENATOR KRISTENSEN: Right. Yes.

SENATOR BEUTLER: So you wouldn't have that element either if that's all they were doing in my example, right?

SENATOR KRISTENSEN: Right. In my opinion, you never get to that issue because you didn't have the other...the easy things to prove, you didn't have. It's sort of a building block. You take the basics...

SENATOR BEUTLER: Okay.

SENATOR KRISTENSEN: ..first and if you didn't have the very bottom blocks, and that was the restraining orders, then you